

Chief Judge Robert S. Lasnik

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTONIO MANUEL AMANCIO RAMOS,  
MY BA DINH, and  
DENTE RYAN,

Defendants.

Case No. CR05-380L

STIPULATED ORDER  
CONTINUING TRIAL DATE

On March 30, 2006, the United States Attorney, and Defendant, My Ba Dinh, through his counsel, Jessica Riley, and Defendant, Dente Ryan, through his counsel, Stewart Riley filed a stipulated motion requesting to continue the trial date from April 3, 2006, to June 5, 2006. Based on the records and files herein and the stipulated representations of defense counsel and the Government, the Court finds that:

1. The trial in this matter was scheduled to begin on April 3, 2006.
2. This is the second request for a trial continuance in this matter.
3. None of the Defendants is in custody.
4. None of the Defendants has filed a motion to sever.
5. That additional time is necessary for Stewart Riley, counsel for Dente Ryan, to inspect and examine new discovery materials that were recently obtained by the prosecutor from another investigative agency as part of a

1 separate investigation. More time is needed for Mr. Riley to review these  
2 materials so that he may effectively advise his client on how to proceed.

3 6. On March 6, 2006, the lead attorney for My Ba Dinh, John Henry Browne,  
4 filed a Notice of Unavailability of Counsel, in which he advised of his  
5 unavailability from March 31, 2006, to April 10, 2006. Therefore, he is not  
6 available to try this case on April 3, 2006.

7 7. Further, through the exercise of due diligence, Jessica Riley (co-counsel for  
8 My Ba Dinh) has been unable to meet with Mr. Dinh recently to discuss his  
9 latest position on the Government's plea offer and to review his case due to  
10 difficulties in coordinating with him and a Vietnamese interpreter.

11 8. The Assistant United States Attorney has advised that Antonio Ramos is  
12 not in compliance with his Appearance Bond and that the Office of  
13 Pretrial Services has lost all contact with Defendant Ramos. The United  
14 States Attorney believes that Mr. Ramos has absconded.

15 9. Stephan Illa, counsel for Antonio Ramos, has taken no position on this  
16 request for continuance.

17 10. Dente Ryan has entered a Waiver of Speedy Trial, in which he expressly  
18 waived his speedy trial rights through June 30, 2006.

19 11. My Ba Dinh is expected to file by April 3, 2006, a Waiver of Speedy  
20 Trial through the proposed trial date.

21 12. The ends of justice outweigh the best interests of the public and the  
22 Defendants in a speedy trial. Failure to grant a continuance would deny  
23 continuity of counsel for Defendant, My Ba Dinh, who is unavailable  
24 during the week of April 3, 2006. Further, failure to grant a continuance  
25 would deny effective preparation for the trial by counsel for Defendant,  
26 Dente Ryan, who recently reviewed newly discovered evidence from the  
27 Government and who is waiting to receive photocopies of these  
28 documentary materials.

1 For all the foregoing reasons,

2 IT IS HEREBY ORDERED, that the trial date is continued from April 3, 2006,  
3 to June 5, 2006.

4 IT IS FURTHER ORDERED that pursuant to Title 18, United States Code,  
5 Section 3161(h), the period of time from the date of the filing of the parties' stipulated  
6 motion on March 30, 2006, to the new trial date, June 5, 2006, shall be excluded in the  
7 computation of time under the Speedy Trial Act.

8 DATED this 31<sup>st</sup> day of March, 2006.

9 

10 Robert S. Lasnik  
11 United States District Judge

12 Presented by:

13 s/ Janet Freeman

14 JANET FREEMAN  
15 Assistant United States Attorney  
16 United States Attorney's Office  
17 700 Stewart Street, Suite 5220  
18 Seattle, Washington 98101-3903  
19 Phone: (206) 553-7729  
20 e-mail: Janet.Freeman@usdoj.gov

21 s/ Stewart Riley (telephonic approval)

22 STEWART RILEY  
23 Attorney for Defendant Dente Ryan  
24 800 Fifth Avenue, Suite 4000  
25 Seattle, Washington 98104  
26 Phone: (206) 622-0925  
27 E-mail: stewriley@yahoo.com

28 s/ Jessica J. Riley (telephonic approval)

JESSICA J. RILEY  
Attorney for Defendant My Ba Dinh  
The Law Offices of John Henry Browne  
821 2nd Avenue, Suite 2100  
Seattle, Washington 98104  
Phone: (206) 388-0777  
E-mail: jriley@jhblawyer.com